



Legislative Bulletin.....May 21, 2007

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Summary of the Bills Under Consideration Today

Total Number of New Government Programs: at least 20

Total Cost of Discretionary Authorizations: **at least \$23 billion over five years**

Effect on Revenue: Negligible decrease

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 1

Total New Private Sector Mandates: 1

Number of Bills Without Committee Reports: 5

Number of Reported Bills that Don’t Cite Specific Clauses of Constitutional Authority: 0

**H.R. 698 — Industrial Bank Holding Company Act of 2007
(Gillmor, R-OH)**

Order of Business: H.R. 698 is scheduled to be considered on Monday, May 21, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 698 would amend current laws to set limits on which industrial banks would be eligible for federal deposit insurance and would increase the Federal Deposit Insurance Corporation's (FDIC) regulatory power over such institutions.

The legislation would also require certain commercial entities that control industrial banks to give up ownership if the entity changes control, begins new commercial activities, moves to a new state, or acquires a new depository institution.

H.R. 698 would create a new regulatory system for industrial bank holding companies that would be established and overseen by the FDIC. The bill would prohibit any commercial company that derives 15 percent or more of its income from nonfinancial activities from owning an industrial bank. Any industrial bank that was created by a private company prior to October 1, 2003 would be able to continue operating as long as an ownership change did not occur.

The bills would require that any foreign bank wishing to obtain an industrial bank must get a ruling from the Federal Reserve stating that the bank is subject to thorough supervision in its home country.

Additional Information: According to current law, commercial companies what are prohibited from owning banks, may own state-chartered industrial banks in California, Colorado, Minnesota, Indiana, Utah, Nevada, and Hawaii. Of these seven states, only Utah, Nevada and Hawaii still allow for the charter of new industrial owned by private companies.

Although they receive federal deposit insurance, many of these industrial banks or industrial loan companies (ILCs) operate outside of the regulatory scope that governs other financial institutions and prohibits bank ownership by private firms or foreign banks. Proponents are concerned that this practice violates the "traditional" policy of separation of banking and commerce and gives a competitive advantage to non-traditional financial service provider's that own ILCs. Some conservatives, however, may be concerned about the legislation.

AEI's Peter Wallison, for instance, argues that ILCs are simply used by companies as a means of making loans and transferring money without paying fees to a third party. Wal-Mart, the company whose ILC application spawned much of the controversy, for instance, did not apply for the authority to take deposits. Wallison contends that banking requires the taking transferable or withdrawable deposits, something that ILCs do very seldom. He believes that ILCs are a creation of market forces and facilitate growth and that restrictions on them benefit other banks and hurt consumers. According to Wallison, "From its inception, the 'separation of banking and commerce' has been nothing more than a means for banks to protect themselves from competition."

Other experts, such as former Federal Reserve Chairman Alan Greenspan, disagree with Wallison, claiming that ILCs violate a traditional financial framework in American and create an artificial advantage for the companies that own them. Greenspan encouraged Congress to act on this issue, saying that the ILC exemption “provides the corporate owners of exempt ILCs a significant competitive advantage over other types of banking institutions, and creates an unlevel competitive playing field among banking organizations.” Since his retirement, Greenspan has been a vocal critic of ILCs and urged Congress to undertake the hearings that preceded this bill.

Prior to hearings on this bill, on March 19, 2007, Wal-Mart formally withdrew its bid to create an ILC. There is currently a moratorium on establishing any new ILCs in any of the three states that permit them.

Committee Action: H.R. 698 was introduced on January 29, 2007, and referred to the Committee on Financial Services, which held hearings on April 25, 2007 and amended the bill. On May 2, 2007, the bill was reported by voice vote and was considered by the full House of Representatives.

Cost to Taxpayers: According to CBO, H.R. 698 would cost states in the form of potential revenue from future fees and taxes that would have been paid by future ILCs in the state. Although CBO cannot predict the amount of revenue that would have been collected, they report that the loss of revenue would be negligible.

CBO also estimates that the cost of private sector mandates on commercial companies and foreign banks cannot be estimated and it is uncertain whether the aggregate direct cost of all the mandates would exceed the UMRA threshold (\$131 million in 2007).

CBO states the cost of implementing and complying with new regulations would be minimal because new regulations would be similar to current practices.

Does the Bill Expand the Size and Scope of the Federal Government? Yes. It expands the regulatory jurisdiction of the FDIC and the Federal Reserve to include ILCs and foreign banks.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? Yes. According to CBO, H.R. 698 includes intergovernmental mandates because it would preempt certain state laws that allow for the establishment of ILCs.

In addition, the bill includes private sector mandates by subjecting industrial bank holding companies to a new regulatory framework, prohibit commercial firms from creating new industrial banks, and prohibit foreign banks from acquiring an industrial bank without approval from the Federal Reserve and the FDIC.

Constitutional Authority: The Financial Services Committee, in House Report 110-155, cites constitutional authority in Article I, Section 8, Clause 1 (the general welfare) and Clause 3 (interstate commerce).

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H.R. 1722 — To designate the facility of the United States Postal Service located at 601 Banyan Trail in Boca Raton, Florida, as the “Leonard W. Herman Post Office” (*Wexler, D-FL*)

Order of Business: H.R. 1722 is scheduled to be considered on Monday, April 23, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1722 would designate the facility of the United States Postal Service located at 601 Banyan Trail in Boca Raton, Florida, as the “Leonard W. Herman Post Office.”

Additional Information: Leonard Herman served as a bombardier in the United States Army during WWII who helped institute policies for rescuing and supporting concentration camp survivors. According to the sponsor’s office, “Mr. Herman flew in numerous combat missions over Germany during which his aircraft came under heavy fire and his heroic actions directly saved the lives of his fellow crewmen. The heroism he displayed throughout his first tour of duty, when the chances of survival were slim, earned him the high honors of a Purple Heart, an Air Medal, three Oak Leaf Clusters, and the Distinguished Flying Cross.”

Leonard and his brother Edward took an active role providing for the well being of Holocaust survivors that they encountered in Germany directly after the war. Herman took it upon himself to communicate with the United States government in an effort to encourage officials to develop a comprehensive plan for the survivors of German concentration camps. Through Herman’s efforts, President Truman was notified about the situation on the ground and plans for official policies regarding Holocaust survivors were devised.

Committee Action: H.R. 1722 was introduced on March 27, 2007, and referred to the Committee on Oversight and Government Reform, which marked-up the bill and reported it by voice vote on May 1, 2007.

Cost to Taxpayers: A CBO score of H.R. 1722 is unavailable, but the only costs associated with a post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 2078 — To designate the facility of the United States Postal Service located at 14536 State Route 136 in Cherry Fork, Ohio, as the “Staff Sergeant Omer T. ‘O.T.’ Hawkins Post Office” (Schmidt, R-OH)

Order of Business: H.R. 2078 is scheduled to be considered on Monday, May 21, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2078 would designate the facility of the United States Postal Service located at 14536 State Route 136 in Cherry Fork, Ohio, as the “Staff Sergeant Omer T. ‘O.T.’ Hawkins Post Office.”

Additional Information: Omer T. “O.T.” Hawkins, a Staff Sergeant in the United States Army, was killed by an I.E.D. in Ramadi, Iraq, on October 14, 2004.

According to the Associated Press, Hawkins, from Cherry Fork, Ohio, joined the Army just two days after graduating high school in 1991. Throughout his career, Hawkins distinguished himself and was stationed with the 44th Engineering Battalion in Camp Howze, Korea, prior to his assignment in Iraq. On October 14, 2004, his convoy was traveling south of Ramadi when an improvised explosive device detonated on the side of the road killing Hawkins and Pfc. Mark A. Barbret. Hawkins was laid to rest near his home in Cherry Fork.

Committee Action: H.R. 2078 was introduced on April 30, 2007, and referred to the Committee on Oversight and Government Reform, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 2078 is unavailable, but the only costs associated with a post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 2077 — To designate the facility of the United States Postal Service located at 20805 State Route 125 in Blue Creek, Ohio, as the “George B. Lewis Post Office Building” (Schmidt, R-OH)

Order of Business: H.R. 2077 is scheduled to be considered on Monday, May 21, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2077 would designate the facility of the United States Postal Service located at 20805 State Route 125 in Blue Creek, Ohio, as the “George B. Lewis Post Office Building.”

Additional Information: According to the sponsor’s office, “George Lewis began his career in public service with the federal government on February 1, 1946 when he enlisted in the United States Navy: still a few months short of his 18th birthday. After his discharge from the Navy, George returned to Adams County to work on the family cattle farm until September 1, 1950, when he was drafted by the Army and sent to Korea at age 22. He rose in the ranks quickly earning the rank of Tank Sergeant. He saw battle on several occasions and earned several medals and awards for his service.

“George was hired as the Blue Creek Postmaster on November 5, 1955, where he served ably until his retirement on September 27, 1992. He was known to all in his community as ‘The Blue Creek Postmaster.’ George retired with 40 years of federal government service, 39 with the USPS and 2 with the Army. George B. Lewis died on October 25, 2000 after a battle with lung cancer. He was survived by his wife of over 45 years, Juanita, five children, and 6 grandchildren.”

Committee Action: H.R. 2077 was introduced on April 30, 2007, and referred to the Committee on Oversight and Government Reform, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 2077 is unavailable, but the only costs associated with a post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 1425 — To designate the facility of the United States Postal Service located at 4551 East 52nd Street in Odessa, Texas, as the “Staff Sergeant Marvin (Rex) Young Post Office Building” (Conaway, R-TX)

Order of Business: The bill is scheduled for consideration on Monday, May 21, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1425 would designate the U.S. Postal Service facility located at 4551 East 52nd Street in Odessa, Texas, as the “Staff Sergeant Marvin ‘Rex’ Young Post Office Building.”

Addition Information: Staff Sergeant Marvin “Rex” Young, of Odessa, Texas, posthumously received the Medal of Honor after he was killed in action on August 21, 1968, near Ben Cui, Vietnam.

Young joined the Army in Odessa in September 1966. He was trained at Fort Bliss, Texas, and Fort Polk, Louisiana, before being deployed to Vietnam on October 20, 1967.

On August 21, 1968, Young was acting as squad leader on a reconnaissance mission when his unit was attacked by a regiment of the North Vietnamese Army. According to Young’s Medal of Honor citation, “During the initial exchange of fire the forward platoon was pinned down, sustained several casualties, and lost its commander. Young assumed command without hesitation and began organizing his men into defensive positions. Young was wounded in the arm and leg, but refused any aid. He ordered his men to continue their retreat, but remained behind to provide covering fire, sacrificing himself to protect the men from the advancing enemy force.”

Committee Action: H.R. 1425 was introduced on March 9, 2007, and was referred to the House Committee on Oversight and Government Reform, which held a mark-up and reported the bill by voice vote on March 29, 2007.

Cost to Taxpayers: A CBO score of H.R. 1425 is unavailable, but the only costs associated with a post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

Does the Bill Expand the Size and Scope of Government?: No.

Does the Bill Contain Any New State-Government, Local-Government or Private-Sector Mandates?: No.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.Res. 53 — Recognizing the life of Lamar Hunt and his outstanding contributions to the Kansas City Chiefs, the National Football League, and the United States (*Cleaver, D-MO*)

Order of Business: H.Res. 53 is scheduled to be considered on Monday, May 21, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 53 would express that Congress:

- “expresses its deepest condolences to Lamar Hunt's wife of 42 years, Norma, his 4 children, Lamar Jr., Sharon Munson, Clark, and Daniel, and his 14 grandchildren; and
- “recognizes the outstanding contributions that Lamar Hunt made to the Kansas City Chiefs, the National Football League, and the United States.”

The resolution lists several findings, including:

- “at the age of 27, Lamar Hunt created the American Football League and founded the Dallas Texans, which were later renamed the Kansas City Chiefs when Hunt relocated the team in 1963;
- “for 40 years Lamar Hunt owned and was a vital participant in the Kansas City Chiefs Football Club and created the Championship Game between the American Football League and the National Football League that became known as the Super Bowl, a moniker Hunt coined;
- “Lamar Hunt, a man of unwavering and deep humility, played an important role in the design, ongoing development, and direction of the modern-day National Football League and served as the driving force behind the merger of the American and National football leagues in 1970;
- “Lamar Hunt was also one of the founding investors in the 6-time World Champion Chicago Bulls of the National Basketball Association and was the owner of 13 distinctive championship rings from 5 different professional sports associations, including the American Football League and National Football League, Major League Soccer, National Basketball Association, North American Soccer League, and the United States Soccer ‘Open Cup’;
- “Lamar Hunt was selected to 8 Halls of Fame, including the United States Soccer Hall of Fame in 1982, the International Tennis Hall of Fame in 1993, the Missouri Sports Hall of Fame in 1995, the Texas Sports Hall of Fame in 1984, the Texas Business Hall of Fame 1997, and the Kansas City Business Hall of Fame 2004;

- “2 of the projects closest to Lamar Hunt included Southern Methodist University, his alma mater where he served as co-chairman of the university's campaign that raised \$60,000,000 to build a new 32,000-seat football stadium that opened in 2000 and to which he and his wife Norma donated \$5,000,000; and the Heart of a Champion Foundation, a nonprofit foundation that he launched in 2001; and
- “on December 13, 2006, Lamar Hunt succumbed to cancer at the Dallas Presbyterian Hospital in Dallas, Texas at the age of 74.”

Committee Action: H.Res. 53 was introduced on January 11, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up on May 1, 2007, and reported the bill by voice vote.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

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H.Res. 402 — Supporting the goals and ideals of National Hurricane Preparedness Week (Mario Diaz-Balart, R-FL)

Order of Business: H.Res. 402 is scheduled to be considered on Monday, May 21, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 402 would resolve that the House of Representatives:

- “supports the goals and ideals of National Hurricane Preparedness Week;
- “encourages the staff of the National Oceanic and Atmospheric Administration, especially at the National Weather Service and the National Hurricane Center, and other appropriate Federal agencies, to continue their outstanding work to educate people in the United States about hurricane preparedness; and
- “urges the people of the United States to recognize such a week as an opportunity to learn more about the work of the National Hurricane Center to forecast hurricanes and to educate citizens about the potential risks associated with hurricanes.”

The resolution lists several findings, including:

- “the Atlantic and Central Pacific hurricane season begins June 1 and ends November 30, and the East Pacific hurricane season runs from May 15 through November 30;

- “an average of 11 tropical storms develop per year over the Atlantic Ocean, Caribbean Sea, and Gulf of Mexico and an average of 6 of these storms become hurricanes;
- “in an average 3-year period roughly 5 hurricanes strike the United States coastline, sometimes resulting in multiple deaths, with 2 typically being ‘major’ or ‘intense’ category 3 hurricanes, as measured on the Saffir-Simpson Hurricane Scale;
- “experts at the National Oceanic and Atmospheric Administration’s National Hurricane Center in the National Weather Service agree that it is critical to know if you live in a hurricane prone area, to know your home’s vulnerability to storm surge, flooding, and wind, and to develop a written family disaster plan based on this knowledge;
- “the National Hurricane Center recommends that people in hurricane-prone areas prepare a personal evacuation plan that identifies ahead of time their home’s vulnerability to storm surge, flooding, and wind; the safest areas in their home for each hurricane hazard; several options of places to go if ordered to evacuate; and the telephone numbers of these places as well as a road map of the local area;
- “the National Oceanic and Atmospheric Administration provides more detailed information about hurricanes and hurricane preparedness via its website <http://www.nhc.noaa.gov/HAW2/>; and
- “a National Hurricane Preparedness Week will be the week of May 20-26, 2007.”

Committee Action: H.Res. 402 was introduced on May 15, 2007, and referred to the Committee on Science and Technology, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 2272 — 21st Century Competitiveness Act of 2007 (*Gordon, D-TN*)

Order of Business: The bill is scheduled for consideration on Monday, May 21, 2007, under a motion to suspend the rules and pass the bill.

Note: H.R. 2722 is a combination of the following bills. To see the RSC Legislative Bulletin for each bill, click on the bill number.

- [H.R. 1868](#) - NIST reauthorization; Vote: [385-23](#)
- [H.R. 1867](#) - NSF reauthorization; Vote: [399-17](#)

- [H.R. 363](#) - Sowing the Seeds Through Science and Engineering Research Act; Vote: [397-20](#)
- [H.R. 362](#) -10,000 Teachers, 10 Million Minds Science and Math Scholarship Act; Vote: [389-22](#)
- [H.R. 1068](#) -a bill to amend the High-Performance Computing Act of 1991; Vote: passed by voice vote

Summary by Title:

Title I - 10,000 Teachers, 10 Million Minds Science and Math Scholarship Act (H.R. 362)

H.R. 2272 would create several new federal programs related to science, technology, math, and engineering education. The specific provisions of the title are summarized below.

States the following findings:

- “The National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine were tasked in a congressional request to recommend actions that the Federal Government could take to enhance the science and technology enterprise so that the United States can successfully compete, prosper, and be secure in the global community of the 21st century; and
- “The Academies’ highest priority recommendation in its report, ‘Rising Above the Gathering Storm: Energizing and Employing America for a Brighter Economic Future’, is to improve K-12 mathematics and science education, and the Academies’ first recommended action item is to institute a major scholarship program to recruit and educate annually 10,000 mathematics and science teachers.”

States the following policy objective:

- “In carrying out the program under section 104, the National Science Foundation shall seek **to increase by up to 10,000 per year the number of elementary and secondary mathematics and science teachers** in the Nation’s schools having both exemplary subject knowledge and pedagogical skills” (emphasis added).

Amends the Robert Noyce Teacher Scholarship Program in current law, operated by the National Science Foundation (NSF), which is a competitive grant program to institutes of higher education. H.R. 2272 amends the program to provide assistance to IHEs that ensure teachers from both the math and science and the education departments work together to recruit students to pursue degrees in science, technology, engineering, and math (STEM), as well as to become certified K-12 teachers. The bill also increases the scholarships provided to students through this program from \$7,500 to \$10,000.

Scholarship recipients would be required to teach up to six years (based on number of years receiving the scholarship), and the teaching requirement would be reduced by one for those who teach in high-need schools. If a student chose not to fulfill their teaching requirement, the scholarship would be converted to a loan, which must be repaid by the

individual. **Authorizes \$304 million for this program over the FY 2008 through FY 2010 period.**

Amends the Mathematics and Science Education Partnership program operated by NSF, authorizing teacher training activities under the program to prepare teachers to teach certain STEM classes, such as advanced placement and international baccalaureate courses.

Requires NSF to **establish a new grant program** to provide summer or academic year teacher institutes or workshops funds to operate one- or two-week summer teacher institutes with the goal of “reaching the maximum number of in-service mathematics and science teachers, particularly elementary and middle school teachers. **Authorizes \$5 million over the FY 2008 through FY 2010 period for the Secretary of Energy for the Laboratory Science Teacher Professional Development program.**

Requires NSF to **establish a new grant program** to provide assistance to IHEs that maintain master’s degree programs designed for current teachers, who will enroll as part-time students and allow participants to obtain master’s degrees within a period of three years.

Requires NSF and the Secretary of Education to establish a national panel of experts on math and science education to identify K-12 math, science, and technology teaching materials that have been demonstrated to be effective.

Requires NSF, through the STEM Talent Expansion program, **to create a new program** for the creation of centers to develop undergraduate curriculum, teaching methods for undergraduate courses, and methods to better train professors and teaching assistants who teach undergraduate courses to increase the number of students completing these courses in STEM fields.

Requires NSF to **create a new research pilot program** (the Partnerships for Access to Laboratory Science), which will fund partnerships between IHEs, businesses, and high-need public schools, to improve laboratories as part of a comprehensive program to enhance the quality of STEM instruction at the high school level. The federal share of the cost of activities carried out using a grant from this program is limited to 50 percent. **Authorizes \$5 million in FY 2008, and such sums as necessary for the following three years for this program.**

Title I contains the text of the motion to recommit H.R. 362, which was agreed to by the House during consideration of the bill ([408-4](#)). This provision provides that nothing in the act should be construed to limit the authority of state governments or local school boards to determine the curricula of their students.

Title II - Sowing the Seeds Through Science and Engineering Research Act (H.R. 363)

H.R. 2272 would create several new federal programs to provide funding for basic science and engineering research. The specific provisions of the title are summarized below.

- Requires the National Science Foundation (NSF) to **create a new grant program** to provide funding to scientists and engineers “at the early stage of their careers at institutions of higher education” and other nonprofit entities to conduct research in fields relevant to the mission of the NSF. According to the bill, “the existing Faculty Early Career Development program may be designated as the mechanism for awarding such grants.” These five-year, competitive grants would be at least \$80,000 annually—at least \$400,000 over five years. Recipients of the awards should be employed in a tenure-track position as an assistant professor or an equivalent title. Authorizes for each of FY 2008 through FY 2012, at least 3.5 percent of funds appropriated to the NSF for research and related for this new program.
- Requires the Department of Energy (DoE) to **create a new federal grant program** that would provide assistance to the same individuals as provided for in the NSF program. These grants would also be at least \$80,000 annually—at least \$400,000 over five years.
- Requires the Office of Science at DoE to report to Congress on efforts to recruit and retain early career science and engineering researchers at DoE national laboratories.
- Requires NSF to allocate, for FY 2008 through FY 2012, at least 1.5 percent of funds appropriated for research and related activities, to the Integrative Graduate Education and Research Traineeship program.
- Requires the President of the United States to “periodically” present a Presidential Innovation Award to individuals who develop one or more unique scientific or engineering ideas in the national interest at the time the innovation occurs. Recipients must be either a U.S. citizen or an alien lawfully admitted to the U.S. for permanent residence who has met certain requirements.
- Requires the Office of Science and Technology Policy to create a National Coordination Office for Research infrastructure, and outlines the duties of the new office.
- Requires the National Institute of Standards and Technology (NIST) to submit a report to Congress on efforts to recruit and retain young scientists and engineers at NIST laboratories.
- Expresses the following sense of Congress regarding NASA funding levels purpose:
 - “a balanced science program as authorized by section 101(d) of the National Aeronautics and Space Administration Authorization Act of 2005

(Public Law 109-155) contributes significantly to innovation in and the economic competitiveness of the United States; and

- “a robust National Aeronautics and Space Administration, funded at the levels authorized under sections 202 and 203 of that Act, would offer a balance among science, aeronautics, exploration, and human space flight programs, all of which can attract and employ scientists, engineers, and technicians across a broad range of fields in science, technology, mathematics, and engineering.”

The NASA authorized funding levels mentioned above are as follows:

FY 2007- \$17.9 billion; and

FY 2008- \$18.7 billion.

However, NASA’s request for FY 2007 was \$16.8 billion.

- Title II contains the text of the motion to recommit H.R. 363, which was agreed to by the House during consideration of the bill [\(264 – 154\)](#). This provision would give priority to grants that increase energy production through coal-to-liquid technology.

Title III - National Science Foundation Authorization Act of 2007 (H.R. 1867)

H.R. 2272 would authorize funding for the National Science Foundation (NSF) over the FY 2008 to FY 2010 period. The specific provisions of the title are summarized below.

- **Authorizes almost \$21 billion** over three years (FY08-FY10) for the National Science Foundation. The following table outlines authorizations in the bill for various initiatives and programs.

In millions

Account	Cost
Research Activities	16,400
<i>Major Research Instrumentation Program</i>	370
Education and Human Resources	2,800
<i>Math and Science Education Partnership</i>	302
<i>Robert Noyce Scholarship Program</i>	304
<i>STEM Talent Expansion Program</i>	159
<i>Advanced Technological Education</i>	166
Research Equipment and Facility Construction	787
Operations and Award Management	925
Office of National Science Board	12
Office of the Inspector General	38
Total Authorization (FY08- FY10)	20,970

- **Establishes the Major Research Instrumentation program**, which would award grants to institutions of higher education (IHE) for acquiring, operating and maintaining instruments and equipment. The minimum amount of an award under the program would be \$100,000, but not to exceed \$4 million, unless the total amount appropriated for the program in a fiscal year exceeds \$125 million,

in which case, the maximum award could be \$6 million. IHEs would be required to provide at least 30 percent of the cost from private or non-federal sources, except in certain circumstances in which this cost-sharing requirement is waived.

- Requires NSF to increase funding for the Research Experiences for Undergraduates program in proportion to the increase in the total amount appropriated to NSF for research and related activities in any year for which appropriations are authorized by this legislation.
- Directs NSF to continue to carry out the Centers for Research on Learning and Education Improvement. Expands eligibility for centers under this program to include certain nonprofit organizations.
- Directs the National Science Board to evaluate the role of NSF in supporting interdisciplinary research and the effectiveness of NSF's efforts in providing information to the scientific community about opportunities for funding of interdisciplinary research proposals.
- Requires NSF to establish a new pilot program to award grants to individual to "assist them in improving research proposal that were previously submitted to NSF, but not selected for funding." Grants would be made to individual who have not previously received funding as the principal investigator of a research grant from NSF and have submitted a proposal to NSF that was rated very good or excellent under NSF's competitive merit review process. Directs the National Science Board to conduct a review of the program.
- Requires NSF, in evaluating research proposals under their broader impacts criterion, to give special consideration to proposals that involve partnerships between academic researchers, industrial scientists, and engineers that address research areas that have been identified as having high importance for future national economic competitiveness, such as nanotechnology.
- Directs NSF to submit to Congress, a report on the impact of the broader impacts grant criterion used by NSF. The report is to identify and assess the criteria, provide a breakdown of the types of activities that grant recipients have proposed to carry out to meet the criterion, and describe what national goals (such as improving undergraduate STEM education) that the criterion are best suited to promote.
- Directs NSF to require that all grant applications that include funding to support postdoctoral researchers, include a description of the mentoring activities that will be provided for these individuals.
- Requires that each institution that applies for financial assistance from NSF for science and engineering research or education, describe in its grant proposal a plan to provide appropriate training and oversight in the responsible and ethical

conduct of research to undergraduate and graduate students, and postdoctoral researchers participating in the project.

- Directs NSF to ensure that all final project reports and citations of published research documents resulting from research funded through NSF, are made available to the public in a “timely manner” and in electronic form through the NSF website.
- Requires NSF to annually evaluate all of NSF’s grants are that scheduled to expire within one year and meet certain requirements. For grants that are identified to be successful meeting objectives, the NSF could **extend the duration of the grants for up to three additional years beyond their scheduled expiration without the requirement for a recompetition.**
- Requires the National Science Board to evaluate the impact of its policy to eliminate cost sharing for research grants and cooperative agreements for existing programs that were developed around industry partnerships and historically required industry cost sharing (such as the Engineering Research Centers).
- Requires NSF to submit to congress, a plan for the allocation of education and human resources funds authorized by this Act for the corresponding fiscal year, including any funds from within the research and related activities account used to support activities that have the primary purpose of improving education or broadening participation.
- Increases to three (up from one), the number of awards that may be given by NSF through the Alan T. Waterman Award program, which gives an award for research or advanced study in the mathematical, physical, medical, biological, engineering, behavioral, social, or other sciences. The award is a “suitable medal and a grant to support further research or study by the recipient.”
- Directs NSF to enter into an arrangement with the National Academy of Sciences for a report to congress, about barriers to increasing the number of underrepresented minorities in science, technology, engineering, and math fields, and to identify strategies for bringing more underrepresented minorities into the science, technology, engineering, and math workforce.

Title IV: The Technology Innovation and Manufacturing Stimulation Act (H.R. 1868-NIST Reauthorization)

H.R. 2272 would authorize funding the National Institute of Standards and Technology Act (NIST) over the FY 2008 through FY 2010 period, and make several changes to the agency. The specific provisions of the title are summarized below.

- **Authorizes \$1.5 billion** over three years (FY08-FY10) for the Department of Commerce for scientific and technical research and services of laboratory activities through NIST.
- **Authorizes \$24.3 million** over three years (FY08-FY10) for the Malcolm Baldrige National Quality Award program.
- **Authorizes \$229.9 million** over three years (FY08-FY10) for the Secretary of Commerce for NIST construction and maintenance.
- **Authorizes \$768 million** over three years (FY08-FY10) for Industrial Technology Services activities through NIST, of which:
 - \$402 million is for the Technology Innovation Program established by this Act, of which \$135 million is for **new grant awards**; and
 - \$366 million is for the Manufacturing Extension Partnership program, of which \$9 million is for a **new grant program** established by this Act.
- Requires the NIST Director to submit to Congress, a three-year programmatic planning document for NIST to Congress.
- Establishes at NIST, a Manufacturing Extension Partnership (MEP) Advisory Board, which would meet at least twice annually and advise the Director of NIST on MEP programs, plans, and policies, as well as assess the program's performance.
- Requires NIST **to establish a new grant program** within MEP to give grants to Manufacturing Extension Centers to develop projects to solve new or emerging manufacturing problems as determined by NIST and other entities, and related to supply chain integration and quality management, technological needs of manufacturers, and available technologies from institutions of higher education, laboratories, and other technology-producing entities.
- **Establishes a new program** at NIST, the Technology Innovation Program (TIP), which would assist small and medium-sized U.S. businesses, institutions of higher education (IHE), and other organizations such as national laboratories, to accelerate the development and application of "challenging, high-risk technologies that promise wide-spread benefits for the Nation." Grants made to businesses under the program could not exceed \$3 million over three years, and the federal share of a project funded by the grant could not be more than 50% of total project costs. Grants made to "joint ventures" (defined in the bill) under the program, could not exceed \$9 million over five years, and the federal share could not exceed 50% of the total cost.
- Requires NIST to continue to use the new Technology Innovation Program to provide support originally awarded under the Advanced Technology Program (ATP), which is repealed by this bill.

- Allows NIST to accept funds from other federal agencies to support grants under TIP.
- Establishes a TIP Advisory Board, which would meet no less than twice annually, and would advise NIST on programs, plans, and policies of the program. In addition, the Board would be required to review TIP's efforts to assess its economic impact and provides recommendations regarding the program. Requires the Board to submit an annual report to Congress on the programs progress, within 30 days of the President's annual budget submission to Congress.
- Requires NIST **to create a new pilot program** to provide grants to partnerships to "foster cost-shared collaborations among firms, education institutions, research institutions, state agencies, and nonprofit organizations to encourage the development of innovative, multi-disciplinary manufacturing technologies." The grants would be used to "conduct applied research to develop new manufacturing processes, techniques, or materials that would contribute to improved performance, productivity, and competitiveness of U.S. manufacturing, and build lasting alliances among collaborators." These partnerships would include at least one manufacturing industry partner and one non-industry partner.
- Directs NIST **to establish a new program** to give stipends to postdoctoral research fellowships at NIST for research activities related to manufacturing sciences and to senior research fellowships to establish researchers in industry or at IHEs who want to pursue studies related to the manufacturing sciences at NIST. The purpose of the program is to "promote the development of a robust research community working at the leading edge of manufacturing sciences."
- Requires the NIST Director to submit to Congress, a three-year programmatic planning document for NIST.
- Establishes at NIST, a Manufacturing Extension Partnership (MEP) Advisory Board, which would meet at least twice annually and advise the Director of NIST on MEP programs, plans, and policies, as well as assess the program's performance.
- Requires NIST **to establish a new grant program** within MEP to give grants to Manufacturing Extension Centers to develop projects to solve new or emerging manufacturing problems as determined by NIST and other entities, and related to supply chain integration and quality management, technological needs of manufacturers, and available technologies from institutions of higher education, laboratories, and other technology-producing entities.
- **Establishes a new program** at NIST, the Technology Innovation Program (TIP), which would assist small and medium-sized U.S. businesses, institutions of higher education (IHE), and other organizations such as national laboratories, to

accelerate the development and application of “challenging, high-risk technologies that promise wide-spread benefits for the Nation.” Grants made to businesses under the program could not exceed \$3 million over three years, and the federal share of a project funded by the grant could not be more than 50% of total project costs. Grants made to “joint ventures” (defined in the bill) under the program, could not exceed \$9 million over five years, and the federal share could not exceed 50% of the total cost. (insert IP provisions, page 15)

- Requires NIST to continue to use the new Technology Innovation Program to provide support originally awarded under the Advanced Technology Program (ATP), which is repealed by this bill.
- Allows NIST to accept funds from other federal agencies to support grants under TIP.
- Establishes a TIP Advisory Board, which would meet no less than twice annually, and would advise NIST on programs, plans, and policies of the program. In addition, the Board would review TIP’s efforts to assess its economic impact and provides recommendations regarding the program. Directs the Board to submit an annual report to Congress on the programs progress, within 30 days of the President’s annual budget submission to Congress.
- Requires NIST **to create a new pilot program** to provide grants to partnerships to “foster cost-shared collaborations among firms, education institutions, research institutions, state agencies, and nonprofit organizations to encourage the development of innovative, multi-disciplinary manufacturing technologies.” The grants would be used to “conduct applied research to develop new manufacturing processes, techniques, or materials that would contribute to improved performance, productivity, and competitiveness of U.S. manufacturing, and build lasting alliances among collaborators.” These partnerships would include at least one manufacturing industry partner and 1 non-industry partner.
- Directs NIST **to establish a new program** to give stipends to post-doctoral research fellowships at NIST for research activities related to manufacturing sciences and to senior research fellowships to establish researchers in industry or at IHEs who want to pursue studies related to the manufacturing sciences at NIST. The purpose of the program is to “promote the development of a robust research community working at the leading edge of manufacturing sciences.”
- Increases to 120 (from 60), the number of new fellows annually allowed to participate in a post-doctoral fellowship program operated by NIST and the National Academy of Sciences.
- Authorizes NIST to transfer up to .25 percent of its total appropriations in any fiscal year, and funds provided to NIST from other federal agencies for the

purpose of production of Standard Reference Materials, to be transferred to the Working Capital Fund, which is a revolving fund at NIST.

- Amends current law to clarify the definition of the metric system, as follows: “the metric system of measurement shall be defined as the International System of Units as established in 1960, and subsequently maintained, by the General Conference of Weights and Measures, and as interpreted or modified for the United States by the Secretary of Commerce.”
- Authorizes NIST to issue up to 200 personal service contracts annually, to procure the temporary or intermittent services of scientific and technical experts and consultants to assist with urgent or short-term research projects.
- Increases to 18 (up from 10), the number of annual awards that can be granted under the Malcolm Baldrige National Quality Award Program.

Title V - A bill to amend the High-Performance Computing Act of 1991 (H.R. 1068)

H.R. 2272 would significantly amend the National High-Performance Computing Program, which is an interagency coordination program run by the Office of Science and Technology Policy. Specifically, H.R. 2272 would replace the program’s existing purpose and goals with the following:

- “provide for long-term basic and applied research on high-performance computing;
- “provide for research and development on, and demonstration of, technologies to advance the capacity and capabilities of high-performance computing and networking systems;
- “provide for sustained access by the research community in the United States to high-performance computing systems that are among the most advanced in the world in terms of performance in solving scientific and engineering problems, including provision for technical support for users of such systems;
- “provide for efforts to increase software availability, productivity, capability, security, portability, and reliability;
- “provide for high-performance networks, including experimental testbed networks, to enable research and development on, and demonstration of, advanced applications enabled by such networks;
- “provide for computational science and engineering research on mathematical modeling and algorithms for applications in all fields of science and engineering;
- “provide for the technical support of, and research and development on, high-performance computing systems and software required to address Grand Challenges;

- “provide for educating and training additional undergraduate and graduate students in software engineering, computer science, computer and network security, applied mathematics, library and information science, and computational science; and
- “provide for improving the security of computing and networking systems, including Federal systems, including research required to establish security standards and practices for these systems.”

H.R. 2272 also strikes the program’s activities as defined by current law and establishes the following activities for the program:

- “establish the goals and priorities for Federal high-performance computing research, development, networking, and other activities;
- “establish Program Component Areas that implement the goals established under subparagraph (A) [listed above], and identify the Grand Challenges that the Program should address;
- “provide for interagency coordination of Federal high-performance computing research, development, networking, and other activities undertaken pursuant to the Program; and
- “develop and maintain a research, development, and deployment roadmap for the provision of high-performance computing systems.”

H.R. 2272 would direct the President to establish an advisory committee on high-performance computing consisting of non-federal members, including representatives of the research, education, and library communities, network providers, and industry, who are specially qualified to provide the Director with advice and information on high-performance computing. The advisory committee is to report to the Director with an assessment of progress being made in the program and any recommendations for needed improvements.

Note: CBO reports that about **\$1.9 billion was appropriated in FY2005 for nondefense research and development on high-performance computing** across six federal agencies. High-performance computers are defined to include supercomputer systems; high-capacity and highspeed networks; special purpose and experimental systems, applications, and systems software; and the management of large data sets. In addition, the High-Performance Computing Act of 1991 (Public Law 102-194) was a project of then-Senator Al Gore, Jr.

Possible Conservative Concerns: Some conservatives may be concerned that this bill authorizes \$23 billion over five years and creates at least 20 new programs. In addition, some conservatives may be concerned that these new programs are highly duplicative of current federal efforts. An October 2005 Government Accountability Office (GAO) study reported that in FY04, 13 federal agencies reported spending roughly \$2.8 billion on 207 different education programs directly related to science, technology, engineering and mathematics (STEM).

Committee Action: H.R. 2272 was introduced on May 10, 2007, and referred to the House Committee on Science and Technology, which took no official action.

Cost to Taxpayers: There is no CBO estimate available for H.R. 2272. However, CBO estimates for the smaller bills that comprise H.R. 2272, it appears as though the bill would authorize at least \$23 billion.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The bill creates at least 20 new grant programs.

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